REMARKS/ARGUMENTS

The rejections presented in the Office Action dated July 18, 2007 (hereinafter Office Action) have been considered but are believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant respectfully traverses each of the prior art rejections (§§ 102(b) and 103(a)) based at least in part on the teachings of U.S. Patent No. 5,974,238 to Chase, Jr. (hereinafter "Chase") because Chase alone, or in combination, does not teach each of the claimed limitations. For example, Chase does not teach defining automatically and storing role information on a device that indicates whether the device should serve as a client or a sync server in a subsequent synchronization session. The Office Action's assertion that Chase's identification of a modified/dirty bit corresponds to the claimed automatic definition of role information is misplaced. The identification of a modified/dirty bit merely indicates the state of that data record and does not define a role (as client or server) for a device. Rather, Chase's handheld computer (asserted as corresponding to the claimed first synchronization device) appears to always operate as a client in the synchronization sessions with the desktop computer (asserted as corresponding to the claimed second synchronization device). Moreover, since the cited routine to handle the modify state (Figs. 10 and 11) results in the same bit in both the handheld and desktop computers being marked the same (as modified/dirty) the indication of a dirty bit cannot correspond to role information for a single device. Without a presentation of correspondence to each of the claimed limitations, the prior art rejections are improper.

With particular respect to the § 102(b) rejection, Applicant notes that to anticipate a claim the asserted reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the patent claim; *i.e.* every element of the claimed invention must be literally present, arranged as in the claim. *Richardson v. Suzuki Motor*

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Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain the rejection based on 35 U.S.C. § 102. Applicant respectfully submits that Chase does not teach every element of independent Claims 1, 11, 13 and 16 in the requisite detail and therefore fails to anticipate at least Claims 1, 3, 5, 6, 8, 9, 11, 13, 15 and 16. Applicant accordingly requests that the rejection be withdrawn.

Moreover, the asserted observation of a change in a data unit does not correspond to the claimed checking of role information in response to a need for initiating a second synchronization session. Such an assertion is illogical if the asserted state of the data unit as "modified/dirty" allegedly corresponds to the claimed role information since a change in that data unit state would mean a change in the role information. Thus, the observation of a change in a unit of data cannot correspond to checking the stored role information. Again, without a presentation of correspondence to each of the claimed limitations, the prior art rejections are improper.

In addition, dependent Claims 3, 5, 6, 8, 9 and 15 depend from independent Claims 1 and 13, respectively, and also stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Chase. While Applicant does not acquiesce to the particular rejection to these dependent claims, the rejection is also improper for the reasons discussed above in connection with independent Claims 1 and 13. These dependent claims include all of the limitations of independent Claims 1 and 13 and any intervening claims, and recite additional features which further distinguish them from the cited reference. Therefore, the rejection of dependent Claims 3, 5, 6, 8, 9 and 15 is improper. Applicant accordingly requests that the § 102(b) rejection be withdrawn.

Regarding the § 103(a) rejections of the various dependent claims, Applicant further traverses because the teachings of "SyncML Sync Protocol, version 1.1.1", U.S. Patent No. 6,330,618 to Hawkins *et al.*, U.S. Patent No. 6,272,545 to Flanagin *et al.*, and U.S. Publication No. 2002/0161769 by Sutinen *et al.* do not overcome the above-discussed deficiencies in Chase and further do not teach the asserted limitations. For example, contrary to the assertions in the Office Action Flanagin *et al.* do not teach role information

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associated with an identifier, as claimed. The identifiers of Flanagin *et al.* make no reference to role information indicating whether a device serves as a client or a sync server. As none of the asserted references teach at least limitations directed to the use of role information, as claimed, any combination thereof must also fail to teach such limitations rendering the § 103(a) rejections of the various dependent claims improper.

Further, Chase does not appear to recognize the problem addressed by the instant application. As set forth, for example, in paragraphs [0003] and [0005] of the Specification, the claimed invention is directed to maintaining the roles of devices from one synchronization session to another when the devices have functionality to serve as both a server and a client. Chase makes no mention or suggestion that the handheld and desktop computers could serve as both a server and client and does not teach or suggest a solution for the stated problem. Therefore, the teachings of Chase would not render the claimed invention obvious to a skilled artisan.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

It is also noted that dependent Claim 6 has been amended to address a translation issue. This change is supported, for example, by paragraph [0021] of the Specification and is not made for reasons related to patentability. Claim 6 is believed to be patentable over the asserted reference for the reasons set forth above.
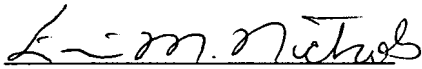
Also, new Claims 17-31 have been added. Support for dependent Claims 17-19 may be found in the instant Specification at page 3, lines 29-30 and page 5, line 28 through page 6, line 5. Claims 20 and 21 largely correspond to original Claims 14 and 15, and Claims 22-31 largely correspond to original Claims 13 and 2-8 and 10. Therefore, these claims do not introduce new matter. New Claims 17-31 are also believed to be patentable for the reasons discussed above in connection with at least the independent claims.

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Authorization is given to charge Deposit Account No. 50-3581 (KOLS.061PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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